

REMARKS

Some claims were rejected for minor informalities and have been amended accordingly.

Claims 10 - 21 are allowed.

Claims 5 - 9 and 26 - 30 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Accordingly, claims 5 and 26 have been rewritten in independent form as claims 31 and 38, respectively, and (as are all claims dependent thereon) are believed to be allowable.

A number of claims were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,805,144 issued to Sholder that describes a mouse pointing device and a method of providing movement data and position data with a mouse pointing device (Abstract). Referring to Figure 3, Sholder's pointing device includes a "mouse movement tracking mechanism 320 comprising a rolling ball 322 is coupled to the mouse body 210 and transmits movement data regarding movement of the mouse body 210 relative to the substantially planar surface 310 to communication and control circuitry 340 located within the mouse body 210... user position tracking mechanism 330 transmits contact data regarding contact between the mechanism surface 220 and a user to the communication and control circuitry 340". Therefore, the movement tracking mechanism 320 provides positional data whereas the user position tracking mechanism provides contact data indicating that user is depressing the mechanism surface 220. At no point is there ever a determination of the accuracy of either the movement tracking mechanism 320 or the user position tracking mechanism 330. Nor is there any discussion or even a remote suggestion the power utilization is any concern since the only embodiment discussed is one in which the mouse pointing device is hardwired to a computer by way of a "mouse cord 143 that typically contains power, ground, clock and data signals" and therefore power considerations are

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of no concern (emphasis added). Furthermore, the preferred embodiment provides for both the movement tracking mechanism 320 and the user position tracking mechanism 330 to be active at the same time in order to provide the requisite data to the computer.

In contrast, the invention as recited in claim 1 provides for a tracking device that is specifically configured to have a first tracking device and a second tracking device that is only used in those situations where accuracy of the first (lower power) tracking device is inadequate. More specifically, claim 1 recites,

"A method for operating a pointing device in a low power manner, comprising:
receiving first tracking information from a first tracking device;
periodically determining accuracy of the first tracking information; and
activating and using a second tracking device to acquire second tracking information when said determining indicates that the accuracy of the first tracking information is inadequate, wherein the first tracking device is substantially lower power device than the second tracking device".

In this way, the pointing device is specifically configured for low power operation in contrast to Sholder's tracking device where power consumption is of no concern.

Therefore, the Applicants believe that claim 1 as amended is not anticipated by Sholder and respectfully request that the 35 U.S.C. 102(b) rejection be withdrawn.

Claim 22 recites the same limitations as claim 1 albeit as computer program product and is also believed to be allowable for at least the reasons stated above for claim 1.

All dependent claims are also believed to be allowable.


A number of claims were rejected as being obvious over Scholder in view of Liu that, in view of the arguments above, adds nothing to the primary reference that in any combination would render the rejected claims unpatentable. Therefore, the Examiner is respectfully requested to withdraw the obviousness type rejections thereof.

CONCLUSION

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

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